

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. CR96-425-JLR

Plaintiff,

1

CURTIS GRANT SNIPES,

**SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE**

Defendant.

An evidentiary hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on June 9, 2009. The United States was represented by Assistant United States Attorney William Redkey, and the defendant by David H. Gehrke. The proceedings were digitally recorded.

The defendant had been charged and convicted of Conspiracy to Distribute Cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A). On or about November 26, 1996, defendant was sentenced by the Honorable William L. Dwyer to a term of one hundred thirty-five (135) months in custody, to be followed by five (5) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance abuse program, financial disclosure and search.

In a Petition for Warrant or Summons, dated March 19, 2009, U.S. Probation Officer Jennifer J. Tien asserted the following violations by defendant of the conditions of his supervised release:

- (1) Driving under the influence of alcohol on January 24, 2009, in violation of the special condition that the defendant not use alcohol, and the general condition that the defendant not commit any federal, state or local offense.
- (2) Using alcohol on or before January 24, 2009, in violation of the special condition of drug aftercare.

On April 20, 2009, defendant made his initial appearance. The defendant was advised of the allegations and advised of his rights. On June 9, 2009, defendant appeared for an evidentiary hearing on the alleged violations. Defendant did not admit but stipulated to admission of Ex. 1. Ex. 1 establishes the violations in the Petition.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations 1 and 2, and that the Court conduct a hearing limited to disposition. A disposition hearing on these violations has been set before the Honorable James L. Robart on July 1, 2009 at 2:00 p.m.

Pending a final determination by the Court, the defendant has been released, subject to supervision.

DATED this 9th day of June, 2009.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: Honorable James L. Robart
AUSA: Mr. William Redkey
Defendant's attorney: Mr. David Gehrke
Probation officer: Ms. Jennifer J. Tien